

*Exhibit "5"*

Loan # [REDACTED]

## ASSIGNMENT OF MORTGAGE

County of NEW YORK, State of New York

Assignor: Mortgage Electronic Registration Systems, Inc. as nominee for CitiMortgage, Inc. its successors and assigns,  
3300 SW 34th Avenue Suite 101, Ocala, FL 34474

Assignee: Citibank, N.A., 399 Park Avenue, New York, NY 10022

Original Lender: Mortgage Electronic Registration Systems, Inc. as nominee for CitiMortgage, Inc. its successors and assigns

Mortgage made by GILLES Y. MICHAUD and JENNIFER R. MICHAUD dated the 1st day of June, 2007 in the amount of Three million two hundred thousand dollars (\$3,200,000.00) and interest recorded on the 14th day of June, 2007 in the Office of the Clerk of the County of NEW YORK at Certificate/Docket Number 2007000307086.

This said mortgage has not been otherwise assigned.

Property Address: 155 Franklin Street Unit 4n, NEW YORK, NY 10013  
SBL # Block 179 Lot 1106

Know that All Men By These Present in consideration of the sum of One and No/100th Dollars and other good valuable consideration, paid to the above Named assignor, the receipt and sufficiency of which is hereby acknowledged the Said Assignor hereby assigns, unto the above named Assignee the said Mortgage, and the full benefit of all the powers and of all the covenants and Provisions therein contained, and the said Assignor hereby grants and conveys unto the said Assignee, the Assignor's beneficial interest under the Mortgage.

**TO HAVE AND TO HOLD** the said Mortgage, and also the said property unto the said Assignee forever, subject to the terms contained in said Mortgage.

**THIS** Assignment is not subject to the requirement of Section 275 of the Real Property Law because it is within the secondary mortgage market.

**IN WITNESS WHEREOF**, the Assignor has caused these presents to be signed by its duly authorized officer this 17th day of February, 2010.

**IN PRESENCE OF**

Mortgage Electronic Registration Systems, Inc. as  
nominee for CitiMortgage, Inc. its successors and  
assigns

BY: 

Elpiniki M. Bechakas

Assistant Secretary and Vice President

State of New York  
County of Erie ss:

On the 17th day of February in the year 2010 before me, the undersigned, a notary public in and for said state, personally appeared Elpiniki M. Bechakas, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s) or the person upon behalf of which the individual(s) acted, executed the instrument.

  
Notary Public

LORIE M. PERRIN  
NOTARY PUBLIC #01PE6036565  
QUALIFIED IN ERIE COUNTY  
STATE OF NEW YORK  
MY COMMISSION EXPIRES 1/31 3/26/10